

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION

In re: LEE ROTHMAN)	
<u>Debtor(s)</u>)	
)	CHAPTER 13
UNIVEST BANK AND TRUST CO.)	
<u>Moving Party</u>)	Case No.: 22-11660 (AMC)
)	
v.)	
)	Hearing Date: 10-29-24 at 11:00 AM
LEE ROTHMAN)	
JONI A. ROTHMAN)	11 U.S.C. 362
<u>Respondent(s)</u>)	
)	11 U.S.C. 1301
KENNETH E. WEST)	
<u>Trustee</u>)	
)	
)	
)	

MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND CO-DEBTOR STAY

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now Univest Bank & Trust Co. (“Univest”) filing this its Motion For Relief From The Automatic Stay And Co-Debtor Stay (“Motion”), and in support thereof, would respectfully show:

1. That on June 27, 2022, Lee Rothman filed a voluntary petition under Chapter 13 of the Bankruptcy Code.
2. This Court has jurisdiction of the Motion by virtue of 11 U.S.C. 105, 361, 362, and 28 U.S.C. 157 and 1334.
3. On April 7, 2004, the Debtor and co-debtor Joni A. Rothman executed and delivered a Note And Security Agreement (“Note”) and Mortgage (“Mortgage”) securing payment of the Note in the amount of \$14,000.00 to Univest. A true copy of the Note and Mortgage are attached hereto as Exhibits “A” and “B”.
4. The Mortgage was secured as a lien against the Property located at 1015 Longfield Road, Southampton, PA 18966.

5. The Mortgage was recorded on April 20, 2004 in Book 928 and page 2094 of the Public Records of Bucks County, PA.

6. The Debtor has failed to make the monthly payments of principal, interest, and fees in the amount of \$6,468.59.

7. The loan matured on April 19, 2019.

8. As of September 20, 2024, the Debtor's account with Univest had a net loan balance of \$6,468.59.

9. Univest Bank alleges that the automatic stay and co-debtor stay should be lifted for cause under 11 U.S.C. 362(d)(1) and 11 U.S.C. 1301 in that Univest lacks adequate protection of its interest in the collateral as evidenced by the following:

(a) The Debtor is failing to make payments to Univest under the terms of the Note and is failing to provide Univest with adequate protection.

WHEREFORE PREMISES CONSIDERED, Univest Bank And Trust Co. respectfully requests that upon final hearing of this Motion, (1) the automatic stay will be terminated as to Univest to permit Univest to seek its statutory and other available remedies; (2) that the co-debtor stay will be terminated as to Univest to permit Univest to seek its statutory and other available remedies; (3) that the stay and co-debtor stay terminate upon entry of this Order pursuant to the authority granted by Fed.R.Bank.P., Rule 4001(a)(3) and (4) Univest be granted such other and further relief as is just.

Respectfully submitted,

/s/ William E. Craig

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